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Remarks

The office action of April 13, 2001, has been carefully reviewed and this paper is responsive thereto.

Claims 43-45, 48, 49, 52, 54, 59, 62-70, 73, 74, 77, 79, 80, 84, 87-95, 98, 99, 104, 109 and 112-117 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Silverman '501. Applicants traverse.

Claim 43 recites,

“ wherein at least one of said network, said first workstation, and said second workstation determines when one of said acknowledgements has not been received during an interval.

Silverman '501 fails to disclose monitoring an interval as claimed. Rather, Silverman '501 places various traders using workstations at risk as trades may be completed even though they have cancelled a trade or otherwise believe to be in a different market position. This is because Silverman '501 continues to trade despite these occurrences. As Silverman '501 fails to disclose each and every recitation of claim 43, claim 43 is allowable over Silverman '501.

Independent claims 54, 59, 62, 63, 67, 68, 79, 84, 87, 88, and 92 are believed allowable over similar recitations.

Claims 100, 103, 106, and 108 have been placed in independent form as they have been indicated by the Examiner as containing allowable subject matter.

Claims 93, 104, and 110 are believed to be in allowable form as they incorporate recitations previously rejected under 35 U.S.C. 103 over Silverman '501. As this paper is being filed

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concurrently with a request for a CPA, the rejections made under 102(e)-based 103 over Silverman '501 are understood to be overcome.

The dependent claims are believed allowable at least for the reasons set forth above.

If any questions remain, the Examiner is invited to contact the undersigned to further prosecution.

Respectfully submitted,

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43. (Twice Amended) A system for exchanging signals relating to at least a bid and an offer, the system comprising:

a network connected to workstations;

a first workstation of said workstations, said first workstation sending a first signal to said network signaling a bid in response to an initial offer ;

a second workstation of said workstations, said second workstation receiving a second signal indicative of said bid from said network and for sending an acknowledgement of said received bid to said network;

said network sending at least a third signal to said first workstation and at least a fourth signal to said second workstation, said at least third and said at least fourth signals indicating acknowledgement of said acknowledgement from said second workstation,

wherein at least one of said network, said first workstation, and said second workstation determines when one of said acknowledgements has not been received during an interval. ;

54. (Thrice Amended) A method for acknowledging the receipt signals relating to bids and offers in an electronic trading system, said electronic trading system including a network and at least first and second workstations coupled to a network, the method comprising the steps of:

sending an offer from the first workstation to the network in response to an initial bid ;

receiving the offer from said network at the second workstation;

sending from the second workstation to said network an acknowledgement of the receipt of the offer; and

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sending from the network to the first and second workstations an indication that the network acknowledges the acknowledgement from said second workstation; and
determining when at least one of said acknowledgements has not been received during an interval.

59. (Thrice Amended) A computer-readable medium having computer-executable instructions for performing steps comprising:

receiving at a networked processor an offer from a first workstation in response to an initial bid;

sending the offer from the networked processor to a second workstation;

receiving an acknowledgement of a transaction based on the offer from the second workstation at the networked processor; ~~and~~

sending from the networked processor to the first and second workstations an indication that the networked processor received the acknowledgement of the transaction and
determining when at least one of said acknowledgements has not been received during an interval.

62. (Thrice Amended) A workstation participating in the exchange of signals, the signals including at least a bid and an offer, the workstation connected to a network, said network connected to at least a second workstation, said workstation comprising:

a receiver for receiving an initial offer;

a processor for processing said initial offer; and

an output for outputting a first signal to said network, said first signal signaling a bid in

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response to said initial offer;

said receiver also receiving a second signal wherein said second signal indicates the acknowledgement of a receipt of said first signal by said second workstation and a third signal when said acknowledgement was not received during an interval.

63. (Thrice Amended) A computer-readable medium having computer-executable instructions for performing steps associated with a purchase comprising a bid and an offer comprising:

transmitting to a network an offer from a first workstation in response to a received initial bid; and

receiving an acknowledgement from said network indicating that a workstation originating said initial bid has acknowledged said transmitted offer; and

receiving an alert from said network when said acknowledgement has not been received during an interval—.

67. (Twice Amended) A system for exchanging signals relating to at least a bid or an offer, the system comprising:

a network connected to workstations;

a first workstation of said workstations, said first workstation sending a first signal to said network signaling a bid in response to an initial offer;

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a second workstation of said workstations, said second workstation receiving a second signal indicative of said bid transmitted from said first workstation in response to said initial offer from over said network, said second workstation sending an acknowledgement of said bid received from said first workstation over said network; and

said network sending at least a third signal to said first workstation and at least a fourth signal to said second workstation, said at least third and said at least fourth signals indicating acknowledgement of said acknowledgement from said second workstation,

wherein at least one of said network, said first work station, and said second work station determines when at least one of said acknowledgements has not been received during an interval.

68. (Twice Amended) A system for exchanging signals relating to at least a bid and an offer, the system comprising:

a network connected to workstations;

a first workstation of said workstations, said first workstation sending a first signal to said network signaling an offer in response to an initial bid;

a second workstation of said workstations, said second workstation receiving a second signal indicative of said offer from said network and for sending an acknowledgement of said received offer to said network;

said network sending at least a third signal to said first workstation and at least a fourth signal to said second workstation, said at least third and said at least fourth signals indicating acknowledgement of said acknowledgement from said second workstation

—wherein at least one of said network, said first workstation, and said second workstation

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determines when one of said acknowledgements has not been received during an interval.

79. (Amended) A method for acknowledging the receipt signals relating to bids and offers in an electronic trading system, said electronic trading system including a network and at least first and second workstations coupled to a network, the method comprising the steps of:

sending a bid from the first workstation to the network in response to an initial offer;

receiving the bid from said network at the second workstation;

sending from the second workstation to said network an acknowledgement of the receipt of the bid; and

sending from the network to the first and second workstations an indication that the network acknowledges the acknowledgement from said second workstation; and

determining when at least one of said acknowledgements has not been received during an interval.

84. (Amended) A computer-readable medium having computer-executable instructions for performing steps comprising:

receiving at a networked processor a bid from a first workstation in response to an initial offer;

sending the bid from the networked processor to a second workstation;

receiving an acknowledgement of a transaction based on the bid from the second workstation at the networked processor; and

sending from the networked processor to the first and second workstations an indication that the networked processor received the acknowledgement of the transaction; and

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determining when at least one of said acknowledgements has not been received during an interval.

87. (Amended) A workstation participating in the exchange of signals, the signals including at least a bid and an offer, the workstation connected to a network, said network connected to at least a second workstation, said workstation comprising:

a receiver for receiving an initial bid;

a processor for processing said initial bid;

an output for outputting a first signal to said network, said first signal signaling an offer in response to said initial bid;

said receiver also receiving a second signal wherein said second signal indicates the acknowledgement of a receipt of said first signal by said second workstation and a third signal when said acknowledgement was not received during an interval.

88. (Amended) A computer-readable medium having computer-executable instructions for performing steps associated with a purchase comprising an offer comprising:

transmitting to a network a bid from a first workstation in response to a received initial offer;

and

receiving an acknowledgement from said network indicating that a workstation originating said initial offer has acknowledged said transmitted bid; and

receiving an alert from said network when said acknowledgement has not been received during an interval.

92. (Amended) A system for exchanging signals relating to at least a bid or an offer,

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the system comprising:

a network connected to workstations;

a first workstation of said workstations, said first workstation sending a first signal to said network signaling an offer in response to an initial bid; and

a second workstation of said workstations, said second workstation receiving a second signal indicative of said offer transmitted from said first workstation in response to said initial bid from over said network, said second workstation sending an acknowledgement of said offer received from said first workstation over said network;

said network sending at least a third signal to said first workstation and at least a fourth signal to said second workstation, said at least third and said at least fourth signals indicating acknowledgement of said acknowledgement from said second workstation;

wherein at least one of said network, said first work station, and said second work station determines when at least one of said acknowledgements has not been received during an interval.

93. (Amended) A system for exchanging signals relating to at least a bid or an offer, the system comprising:

a network connected to workstations;

a first workstation of said workstations, said first workstation sending a second transaction message to said network in response to a first transaction message;

a second workstation of said workstations, said second workstation receiving a third transaction message from said network indicative of said second transaction message and for sending an acknowledgement of said received third transaction message to said network;

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said network sending at least a fourth transaction message to said first workstation and at least a fifth transaction message to said second workstation, said at least fourth and said at least fifth transaction messages indicating acknowledgement of said acknowledgement from said second workstation

wherein prior to the transmission of said second transaction message by said first workstation, said second workstation transmits said first transaction message to said network.

100. (Amended) A system for exchanging signals relating to at least a bid or an offer, the system comprising:

a network connected to workstations;

a first workstation of said workstations, said first workstation sending a second transaction message to said network in response to a first transaction message;

a second workstation of said workstations, said second workstation receiving a third transaction message from said network indicative of said second transaction message and for sending an acknowledgement of said received third transaction message to said network;

said network sending at least a fourth transaction message to said first workstation and at least a fifth transaction message to said second workstation, said at least fourth and said at least fifth transaction messages indicating acknowledgement of said acknowledgement from said second workstation

~~The system according to claim 93,~~ wherein said second workstation further comprises:

a confirmation timer for measuring the time elapsed from said second workstation receiving said third transaction message until said second workstation receives said fifth transaction message;

and

a storage unit for storing an indication that a purchase relating to said first transaction message was not completed upon the elapsed time measured by said confirmation timer exceeding a predetermined confirmation timeout period.

103. (Amended) A system for exchanging signals relating to at least a bid or an offer, the system comprising:

a network connected to workstations;

a first workstation of said workstations, said first workstation sending a second transaction message to said network in response to a first transaction message;

a second workstation of said workstations, said second workstation receiving a third transaction message from said network indicative of said second transaction message and for sending an acknowledgement of said received third transaction message to said network;

said network sending at least a fourth transaction message to said first workstation and at least a fifth transaction message to said second workstation, said at least fourth and said at least fifth transaction messages indicating acknowledgement of said acknowledgement from said second workstation

wherein said network further comprises:

a computer for matching at least bids or offers from said workstations in accordance with predetermined matching criteria.~~The system according to claim 102, further comprising:~~

an acknowledgement timer for measuring the time elapsed from reception of said second transaction message by said network from said first workstation until reception of said

acknowledgement by said network from said second workstation; and

a storage unit for storing an indication that a purchase was not acknowledged upon the elapsed time measured by said acknowledgement timer exceeding a predetermined acknowledgement timeout period.

104. (Amended) A method for acknowledging the receipt signals relating to at least bids or offers in an electronic trading system, said electronic trading system including a network and at least first and second workstations coupled to a network, the method comprising the steps of:

sending a first transaction message from the second workstation to the network;

receiving an acknowledgement of the first transaction message from the network at the second workstation

sending a second transaction message from the first workstation to the network in response to the a first transaction message;

receiving the second transaction message from said network at the second workstation;

sending from the second workstation to said network an acknowledgement of the receipt of the second transaction message; and

sending from the network to the first and second workstations an indication that the network acknowledges the acknowledgement from said second workstation.

106. (Amended) A method for acknowledging the receipt signals relating to at least bids or offers in an electronic trading system, said electronic trading system including a network and at least first and second workstations coupled to a network, the method comprising the steps of:

sending a second transaction message from the first workstation to the network in response to

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a first transaction message;

receiving the second transaction message from said network at the second workstation;

sending from the second workstation to said network an acknowledgement of the receipt of
the second transaction message;

sending from the network to the first and second workstations an indication that the network
acknowledges the acknowledgement from said second workstation.

~~The method according to claim 104, wherein the transaction messages relate to a transaction,~~
~~said method further comprising the steps of:~~

measuring an elapsed confirmation time from receiving the second transaction message from
the network at the second workstation until the second work station receives from the network the
indication that the network received the acknowledgement of the transaction from the second
workstation; and

storing an indication that the transaction is unconfirmed upon the measured elapsed
confirmation time exceeding a predetermined confirmation timeout period-

wherein the transaction messages relate to a transaction

108. (Amended) A method for acknowledging the receipt signals relating to at least bids
or offers in an electronic trading system, said electronic trading system including a network and at
least first and second workstations coupled to a network, the method comprising the steps of:

sending a second transaction message from the first workstation to the network in response to
a first transaction message;

receiving the second transaction message from said network at the second workstation;

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sending from the second workstation to said network an acknowledgement of the receipt of the second transaction message;

sending from the network to the first and second workstations an indication that the network acknowledges the acknowledgement from said second workstation.~~The method according to claim 104, further comprising the steps of:~~

measuring an elapsed acknowledgement time from receiving the second transaction message at the network from the first workstation until the network receives the acknowledgement from the second workstation; and

storing an indication that the second transaction message transmitted to said second workstation is unacknowledged upon the measured elapsed acknowledgement time exceeding a predetermined acknowledgement timeout period.

110. (Amended) ~~The computer-readable medium of claim 109 having further computer-executable instructions for performing the following steps:~~ A computer-readable medium having computer-executable instructions for performing steps comprising:

receiving at a the networked processor the a first transaction message from the a second workstation; and

sending an acknowledgement of the first transaction message from the networked processor to the second workstation-

receiving at the networked processor a second transaction message from a first workstation in response to the first transaction message;

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sending the second transaction message from the networked processor to the second workstation;

receiving an acknowledgement of a transaction based on the second transaction message from the second workstation at the networked processor; and

sending from the networked processor to the first and second workstations an indication that the networked processor received the acknowledgement of the transaction.

112. (Amended) A workstation participating in the exchange of signals, the signals including at least a bid or an offer, the workstation connected to a network, said network connected to at least a second workstation, said workstation comprising:

a receiver for receiving a first transaction message;

a processor for processing said first transaction message;

an output for outputting a first signal to said network, said first signal signaling a second transaction message in response to said first transaction message;

said receiver also receiving a third transaction message wherein said third transaction message indicates the acknowledgement of a receipt of said second transaction message by said second workstation and said receiver receiving an alert from said network when said network has not received the acknowledgement of said second transaction message after a predetermined interval..

113. (Amended) A computer-readable medium having computer-executable instructions for performing steps associated with a purchase comprising:

transmitting to a network a second transaction message from a first workstation in response

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to a received first transaction message; ~~and~~

receiving an acknowledgement from said network indicating that a workstation originating said first transaction message has acknowledged said second transaction message; and

receiving an alert from said network when said network has not received the acknowledgement of said second transaction message after a predetermined interval.

117. (Amended) A system for exchanging signals relating to at least a bid or an offer, the system comprising:

a network connected to workstations;

a first workstation of said workstations, said first workstation sending a second transaction message to said network signaling a response to a first transaction message;

a second workstation of said workstations, said second workstation receiving a second signal indicative of said second transaction message transmitted from said first workstation in response to said first transaction message from over said network, said second workstation sending an acknowledgement of said second transaction message received from said first workstation over said network;

said network sending at least a third transaction message to said first workstation and at least a fourth transaction message to said second workstation, said at least third transaction message and said at least fourth transaction message indicating acknowledgement of said acknowledgement from said second workstation

said network providing an alert when said acknowledgement has not been received after a predetermined interval.